

SoCal IP

Law Group

MEMORANDUM

To: Anita Choudhary
From: Joel G. Landau
Re: 1/22/04 Interview Agenda
Application: 09/629,553
Date: 1/15/04

Ms. Chaudhary,

Listed below are the topics I would like to discuss with you over the telephone. I think that it would help our common understanding of the prior art and enable us to come to agreement on which claims may issue.

I look forward to speaking with you on Thursday.

Sincerely,

Joel



Interview Agenda

Claim 1:

(a) Van Hoff's FIG. 1 104 is an "information server computer" (van Hoff, 2:57), not a method of displaying advertisements to a user of an online service.

(b) Van Hoff's FIG. 1 105 is a CPU (van Hoff, 2:65), not a client application on a local device.

(c) Van Hoff's FIG. 1 and 2:55- 3:3 describes a distributed computer apparatus, not the claimed process.

(d) Rakavy's system idleness is not directed to the "online service", but the computer in its entirety.

(e) The claimed invention includes the feature "wherein the dialog notifies the user that the user has been inactive with respect to the online service."

Claim 2, 22, and 23:

(a) Independent claim 22 was not specifically addressed in the Office Action.

(b) The claimed invention's "resource locator" is defined in the specification as "string or code which uniquely identifies a resource on a network." Rakavy's resource pointer "identifies [. . .] the resource" (Rakavy, 7:36-38), wherein the resource "must exist on the Local Computer" (Rakavy, 7:31-33).

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Claims 8, 9, 28, and 29:

(a) Although Rakavy, at 4:56-5:3 and 5:20-27, does address ISDN and dial-up, it makes no mention of a "cable modem".

Claims 3, 13, and 24:

(a) Although van Hoff, at 3:13-25, does describe a resource locator for a given advertisement, it does not describe a resource locator for a click-through associated with the given advertisement.

(b) Van Hoff, at 3:13-25, does not address at least one display attribute, where display attribute, per the invention's specification, "may be one or more of, for example: fade, wash, sweep, fly, blinds, box, checkerboard, crawl, dissolve, peak, spiral, split, stretch, strips, swivel, wipe, zoom."

Claims 4, 14, and 25:

(a) Rakavy, at 8:14-23, is directed to traditional screen savers of "prior systems". This reference is not related to pausing the play list. Perhaps Rakavy is directed to starting the play list after a period of inactivity.

Claim 18:

(a) The features of claim 2 is not related to those of claim 18.

Claims 5, 11, and 19:

(a) Rakavy, at 4:11-14, is a "BRIEF DESCRIPTION OF THE DRAWINGS" for Rakavy's FIG. 1 and FIG. 2. Neither FIG. 1 nor FIG. 2 mentions an advertisement, a client window, or a client application.

Claim 12:

(a) Rakavy, at 8:2-37, displays a screen saver after there has been no user interaction with the computer for a preconfigured time. Rakavy does not address the claimed feature "after the client window had been removed from display on the local device".

(b) Rakavy does not address the claimed feature "the client application re-displaying the client window on the output device of the local device if the user interacts with the browser application."

Claim 15:

(a) Although van Hoff does describe a “dedicated display”, van Hoff doesn’t describe that the dedicated display is “displayed on top of the browser window.”

(b) Van Hoff doesn’t describe that the client application “prevents any other window which might be caused to be displayed on the output device from being displayed on top of the window.”

Claim 16:

(a) Rakavy, at 8:14-23, describes traditional screen savers which launch after the computer has been idle for a predetermined period of time. Rakavy, at 8:14-23, is not related to the claimed feature of claim 16.

Claims 6 and 26:

(a) Rakavy idleness is directed to “no interaction with the computer (through the use of the keyboard, mouse, pointing device or other user input device)” (Rakavy, 8:9-11). Rakavy’s detection of idleness is directed to the entire computer. In contrast, [. . .] [a] claimed feature of claims 6 and 26 [. . .] [is] focused, not on the entire computer, but on “[. . .] if the user has not clicked on an advertisement in the client window [. . .].”

Claims 7 and 27:

(a) Rakavy idleness is directed to “no interaction with the computer (through the use of the keyboard, mouse, pointing device or other user input device)” (Rakavy, 8:9-11). Rakavy’s detection of idleness is directed to the entire computer. In contrast, the claimed feature of claims 7 and 27 are focused, not on the entire computer, but on “[. . .] if the user not has not clicked on any of the icons [. . .].”

(b) Van Hoff, at 5:12-19, describes links “to more information if the reader is so inclined.” Van Hoff’s “links” are not the “user-selectable icons” of claims 7 and 27. As described in the application’s specification at page 19, line 4 – page 20, line 2, the claimed invention’s icons are functional icons associated with features of the client application.

Claim 20:

(a) The claimed feature is focused on interaction with the “local device.” “Local device” is not restricted to a network connection, a secure network connection, or an advertising module. In contrast, Meyers, at 8:11-30, when read in context of the whole “Session Control and Session Initiators” section (Meyers, 7:9 – 9:24) interaction refers only to the secure session.

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